

REMARKS

The present application has been carefully studied and amended in view of the outstanding Office Action dated May 10, 2006, and reconsideration of that Action is requested in view of the following comments.

Restriction has been required between the system of claims 1-8 and the method of claims 9-14. However, the method claims in this application comprise claims 9-12, and claims 13 and 14 comprise system claims. In view of the provisional election made to prosecute system claims 1-8, the Examiner may wish to additionally examine system claims 13 and 14.

Applicant respectfully transgresses the restriction requirement since the system and method claims are closely related and should therefore be examined in a single application. The issues concerning patentability are similar, and it is believed that the fields of search are similar and overlapping. Discretion is available in matters of restriction and it is respectfully requested that such discretion be exercised in the present application by withdrawing the restriction requirement. However, applicant confirms the provisional election of the system invention and finds claims 1-8, 13 and 14 readable thereon.

Several of the claims were rejected on formal grounds, and each of the informalities discussed in the rejection under 35 USC §112 has been addressed. As amended, all of the claims are now believed to be in proper form and in full compliance with the statute.

Claim 1 specifically defines a system for removing dust, dirt and foreign matter from the surface of a flexible paper substrate. For the most part the flexible paper

substrate is often tipping paper used in the manufacturer of cigarettes to join a filter to the end of a tobacco rod. Often the tipping paper is perforated to impart a desired permeability to the paper to introduce air into tobacco smoke during the smoking process. The perforation process tends to generate quantities of dust and/or ash in addition to the dust and dirt already present on the tipping paper. The present invention comprises a system for removing those materials from the surface of the paper.

In the present invention the outer surface of a rotating vacuum drum is in direct contact with the paper substrate. A slight speed differential exists between the linear speed of the paper substrate and the surface velocity of the vacuum drum, and a suction source is connected to openings in the outer surface of the vacuum drum. Direct contact between the paper substrate and the outer surface of the drum produces a cleaning action as the substrate sweeps over the drum, and the foreign matter on the substrate is drawn away by the drum suction.

Applicant respectfully submits that no such cleaning action is disclosed or suggested by Barcaro US 3,266,196. Instead Barcaro is quite different in that the several disclosed embodiments each include a polishing tape 22, 46 for cleaning a magnetic tape 16, 42. In operation the cleaning tape removes material from the magnetic tape in the refurbishing of the magnetic tape.

In the embodiment shown by Barcaro in Figures 5 and 6 the magnetic tape 42 is not in direct contact with the vacuum drum 58, and instead the magnetic tape is spaced from the surface of the vacuum drum by the polishing tape 46.

Fundamentally, the entire concept of the present invention is different from the tape polishing operation shown and described by Barcaro. In the present invention

there is no cleaning or polishing tape and instead the paper substrate simply sweeps across the surface of a vacuum drum with the paper in direct contact with the drum. Barcaro requires a polishing tape for altering and refurbishing the surface of a magnetic tape, and the position of the polishing tape prevents direct contact of the magnetic tape with the suction drum.

Claims 6 and 8 together with claims 13 and 14 define features of the present invention which are admittedly not disclosed or suggested by Barcaro. Additionally, the secondary reference to Fischer et al US 4,010,514 ("Fischer") does not address the features recited in these claims, and Fischer does not cure the above described deficiencies of the primary Barcaro reference. Like Barcaro, Fischer utilizes several cleaning tapes for altering the surface of a magnetic tape during reconditioning thereof. The magnetic tape is not in direct contact with the vacuum drums and instead the cleaning tapes are trained around the drum surfaces.

Accordingly, for the reasons expressed above it is believed that the claims of the present application distinguish over the applied prior art, and the application is in condition for allowance.

Respectfully submitted,

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